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SUMMARY RECORD OF THE 27th MEETING

Chairman: Mr. KARUKUBIRO-KAMUNANWIRE (Uganda)

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The meeting was called to order at 3.15 p.m.

AGENDA ITEM 75: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES (continued) (A/SPC/45/L.27, L.28, L.29, L.30, L.31, L.32, L.33)

Consideration of draft resolutions (A/SPC/45/L.27 to L.33)

1. The CHAIRMAN drew the Committee's attention to the seven draft resolutions on the agenda item under consideration and noted that draft resolution A/SPC/45/L.32 had been reissued, in Arabic only, for technical reasons. He informed the Committee that Comoros, India and Madagascar had joined the sponsors of draft resolutions A/SPC/45/L.27 to L.33.

2. Mr. HANNAN (Bangladesh), introducing draft resolutions A/SPC/45/L.27, L.31, L.32 and L.33, recalled his country's position on the agenda item. Bangladesh was distressed at the refusal of the Israeli Government to co-operate with the Special Committee and condemned the escalating violence, annexation of territories and brutal suppression of the Palestinian uprising in the occupied territories. He reaffirmed his country's complete support of the Palestinian people in its struggle for justice and self-determination.

3. Reviewing the main points of the draft resolutions, he said that resolution A/SPC/45/L.27 condemned Israel's violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, the annexation of parts of occupied Palestinian territories, the establishment of settlements, the deportation of Palestinians and other Arabs, and the escalation of acts of brutality since the beginning of the intifadah. In that connection, the Security Council was urged to provide international protection for the Palestinian people until the withdrawal of Israel from the occupied Palestinian territories.

4. Draft resolution A/SPC/45/L.31 demanded that Israel rescind its deportation measures against Palestinians and facilitate their return. Draft resolution A/SPC/45/L.32 condemned Israel's persistence in changing the physical character, demographic composition, institutional structure and legal status of occupied Syrian Arab Golan. He noted that the sponsors, in a spirit of co-operation, had agreed to delete paragraph 4 of the draft resolution.

5. Draft resolution A/SPC/45/L.33 demanded that Israel rescind all the measures taken against educational institutions and refrain from hindering their effective operation.

6. Mr. BUGTI (Pakistan), introducing draft resolutions A/SPC/45/L.28, L.29 and L.30, reviewed their main provisions and said that they dealt with three subjects of particular concern: the applicability of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War; measures taken by Israel to change the legal status, geographic nature and demographic composition of the occupied territories, and the arbitrary detention of Palestinians by Israel.

(Mr. Bugti, Pakistan)

7. It should not be forgotten that the past three years had been a study in contrasts: Israel had pursued its repressive practices in disregard of the human rights of the Palestinian people while the Palestinian leadership had shown its political realism in its declaration of an independent Palestinian State and its acceptance of all the relevant United Nations resolutions. The Palestinian position offered Israel an opportunity to work out a peace settlement which it should seize.

8. Mr. SNOOK (United States of America), explaining his vote before the vote, said that the United States had a strong interest in the human rights situation in the occupied territories and maintained a constant dialogue with the Government of Israel on the subject. Where it disagreed with Israeli policies it made those views known to the Government of Israel and would continue to do so.

9. The United States could not support resolutions which made no practical contribution to safeguarding the human rights of the Palestinians in the occupied territories or to the search for a just and lasting peace in the region. The one-sided and inflammatory language of the draft resolutions before the Committee could serve only to further divide the parties and to make a negotiated settlement more difficult to achieve. His delegation again called on the members of the Committee to desist from such sterile rhetoric and adopt a more constructive approach concentrating on reconciliation and dialogue between the parties.

10. The United States objected strongly to draft resolution A/SPC/45/L.27, which contained sweeping condemnations of a long list of unsubstantiated Israeli practices, including reference to the torture of children and minors and the presentation of Israel's breaches of the Geneva Convention as "war crimes and an affront to humanity". Nor could the United States support language urging the Security Council to consider measures to secure "international protection" for the Palestinian inhabitants of the occupied territories, which was impractical and did not address the underlying problems. Additionally, his delegation wished to record again its objection to the expense the Special Committee imposed on the United Nations budget, particularly at a time when its financial resources were so scarce.

11. The United States was firmly on record as supporting the applicability of the 1949 Fourth Geneva Convention to the territories occupied by Israel since 1967. His delegation had therefore requested a separate vote on operative paragraph 1 (which it supported), of draft resolution A/SPC/45/L.28, but would abstain on the draft resolution as a whole because its strident rhetoric did nothing to resolve the problems it sought to address.

12. The United States had clearly stated its opposition to further Israeli settlement activity in the occupied territories, which in its view constituted an obstacle to peace. Israel's security did not require the establishment of new settlements and they could only diminish the confidence of the Arabs that a final outcome could be freely and fairly negotiated. However, the United States would abstain in the vote on draft resolution A/SPC/45/L.29, since it believed unproductive debate over the legalities of the issue only diverted attention from the real task of promoting peace through direct negotiations.

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(Mr. Snook, United States)

13. The United States had consistently opposed the practice of administrative detention; however, it would vote against draft resolution A/SPC/45/L.30 because it did not address the legitimate security problems as they existed in the occupied territories.

14. The United States had likewise stated repeatedly that it considered Israel's deportation of Palestinian residents of the occupied territories inconsistent with the provisions of the Fourth Geneva Convention and had said that those deported should be permitted to return. It was nevertheless obligated to abstain in the vote on draft resolution A/SPC/45/L.31 because its harsh polemical tone offered no realistic solution.

15. In its resolution 497 (1981), the Security Council had declared Israel's decision to impose its law, jurisdiction and administration in the occupied Syrian territory of the Golan Heights null and void and without international legal effect. His delegation's own position remained that the Golan was occupied Syrian territory and that the provisions of the Fourth Geneva Convention therefore applied in it. The United States opposed any unilateral action to alter the status of the territories occupied by Israel in 1967 because that was an issue which must be resolved through negotiations in accordance with Security Council resolutions 242 (1967) and 338 (1973). In the case of draft resolution A/SPC/45/L.32, again, its harsh and unbalanced rhetoric mandated the abstention of the United States.

16. In spite of its strong concerns over the current situation with respect to education in the occupied territories, the United States objected to draft resolution A/SPC/45/L.33 because its sweeping condemnations of Israeli policies and practices were unjustified and counter-productive.

17. Lastly, his delegation objected to phrases like "occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967", or "Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem". His delegation considered that those phrases described the territories demographically, were limited to territories occupied in 1967, and did not prejudge their status, which could only be resolved through negotiations - although it was convinced that Jerusalem must remain undivided.

18. A separate recorded vote was taken on paragraph 6 of draft resolution A/SPC/45/L.27.

In favour: Afghanistan, Albania, Algeria, Angola, Bahrain, Bangladesh, Benin, Botswana, Brunei Darussalam, Burkina Faso, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cuba, Cyprus, Djibouti, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore,

Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Australia, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Malta, Netherlands, New Zealand, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Austria, Bahamas, Barbados, Belgium, Bolivia, Brazil, Bulgaria, Cameroon, Central African Republic, Costa Rica, Côte d'Ivoire, Ecuador, Egypt, Ethiopia, Jamaica, Kenya, Liechtenstein, Luxembourg, Malawi, Peru, Philippines, Poland, Portugal, Romania, Samoa, Spain, Sweden, Thailand, Turkey, Uruguay, Venezuela.

19. Paragraph 6 of draft resolution A/SPC/45/L.27 was adopted by 63 votes to 20, with 32 abstentions.

20. A recorded vote was taken on draft resolution A/SPC/45/L.27 as a whole.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Byelorussian Soviet Socialist Republic, Chile, China, Colombia, Congo, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Ethiopia, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Australia, Austria, Belgium, Bulgaria, Cameroon, Canada, Central African Republic, Costa Rica, Côte d'Ivoire, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Liechtenstein, Luxembourg, Malawi, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Samoa, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay.

21. Draft resolution A/SPC/45/L.27 as a whole was adopted by 80 votes to 2, with 36 abstentions.

22. A separate recorded vote was taken on paragraph 1 of draft resolution A/SPC/45/L.28.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: None.

23. Paragraph 1 of draft resolution A/SPC/45/L.28 was adopted by 119 votes to 1.

24. A recorded vote was taken on draft resolution A/SPC/45/L.28 as a whole.

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, angladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa,

Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States of America.

25. Draft resolution A/SPC/45/L.28 as a whole was adopted by 118 votes to 1, with 1 abstention.

26. A recorded vote was taken on draft resolution A/SPC/45/L.29.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States of America.

27. Draft resolution A/SPC/45/L.29 was adopted by 120 votes to 1, with 1 abstention.

28. A recorded vote was taken on draft resolution A/SPC/45/L.30.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: None.

29. Draft resolution A/SPC/45/L.30 was adopted by 119 votes to 2.

30. A recorded vote was taken on draft resolution A/SPC/45/L.31.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic,

Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States of America.

31. Draft resolution A/SPC/45/L.31 was adopted by 120 votes to 1, with 1 abstention.

32. A recorded vote was taken on draft resolution A/SPC/45/L.32 as orally revised.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States of America.

33. Draft resolution A/SPC/45/L.32 as orally revised was adopted by 119 votes to 1, with 1 abstention.

34. A recorded vote was taken on draft resolution A/SPC/45/L.33.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: None.

35. Draft resolution A/SPC/45/L.33 was adopted by 120 votes to 2.

36. Mr. KORSHENI (United Republic of Tanzania) said that if his delegation had been present at the start of the vote, it would have voted in favour of all the draft resolutions.

37. Mrs. CASTRO DE BARISH (Costa Rica), speaking in explanation of vote, said that her delegation had voted in favour of draft resolutions A/SPC/45/L.28 to L.33. Costa Rica's commitment to human rights and to implementation of the international conventions compelled it to condemn the occupation of territories and the violation of the human rights of the Palestinians. Nevertheless, her delegation did not fully agree with some of the terms used, for it wished to see the question of Palestine settled by peaceful means. It had abstained during the vote on draft resolution A/SPC/45/L.27 because it had reservations regarding the drafting of some parts of that text.

38. Mrs. ZIKMUNDOVA (Belgium) said that Belgium had intended to vote against paragraph 6 of draft resolution A/SPC/45/L.27, not to abstain.

39. Mr. KAMAL (Malaysia) said that his delegation had voted for all the draft resolutions and would have voted for paragraph 6 of draft resolution A/SPC/45/L.27.

40. Mr. GARRIGUES (Spain) said that his delegation had meant to vote against paragraph 6 of draft resolution A/SPC/45/L.27 and had abstained in the vote against the draft resolution as a whole. His delegation had voted in favour of paragraph 1 of draft resolution A/SPC/45/L.28 and of the draft resolution as a whole.

41. Mr. KOTEY (Ghana) said that his delegation would have voted in favour of draft resolutions A/SPC/45/L.27 and L.28 if it had been present at the vote.

42. Ms. JUUL (Norway) said that her delegation was deeply concerned about the situation in the occupied Palestinian territories and in most cases had voted in favour of the draft resolutions. It had reservations, however, on some of the wording of draft resolutions A/SPC/45/L.30, L.31, L.32 and L.33.

43. Mr. FREUDENSCHUSS (Austria) said that Austria had abstained in the vote on draft resolution A/SPC/45/L.27 because, although it agreed with the basic thrust of the resolution; it found some of the formulations unacceptable, in particular the description of certain acts in paragraph 6, which, in its view, could be drafted only by a competent judicial authority.

44. Ms. BIRD (Australia), explaining her vote, said that although she had voted in favour of draft resolutions A/SPC/45/L.31 and L.32, she would have abstained in a separate vote on paragraph 1 of both texts, since they mentioned General Assembly resolutions which Australia had not supported. Moreover, Australia considered that any mention of the word "territories" applied solely to the territories occupied by Israel since 1967.

45. Mr. TRAXLER (Italy), speaking on behalf of the 12 Member States of the European Community, said that the Twelve attached the greatest importance to human rights and to international law, which prohibited the acquisition or occupation of territory by force. The Twelve had voted in favour of all the draft resolutions except draft resolution A/SPC/45/L.27, on which they had abstained because of the wording of some of its paragraphs. They condemned violence and stressed once again the need for a peaceful, negotiated settlement.

46. With regard to paragraph 1 of draft resolution A/SPC/45/L.31, he pointed out that the Twelve had not voted in favour of all the resolutions referred to in it.

47. Mr. CORRY (New Zealand) said that his vote in favour of draft resolution A/SPC/45/L.30 should not be interpreted as approval of the use of violence. New Zealand considered that any mention of the occupied Palestinian territories in the draft resolutions referred exclusively to the territories occupied by Israel since 1967.

48. Mr. ZAWELS (Argentina) said that he had voted for all the draft resolutions because in general they expressed his Government's position on the Middle East question. He had reservations, however, on the provisions of paragraph 6 of draft

(Mr. Zawels, Argentina)

resolution A/SPC/45/L.27, which were not directly relevant to the subject and were open to misunderstanding.

49. Mr. LIDEN (Sweden) said that he had voted in favour of six of the draft resolutions but abstained on draft resolution A/SPC/45/L.27 and on paragraph 6 of that resolution. His delegation supported the substance of the draft resolution, specifically the condemnation of various Israeli policies and practices referred to in paragraphs 8 and 9, but was not convinced that all the wording of those paragraphs was fully supported by proven facts. It also considered that paragraphs 12 and 13 went beyond the competence of the General Assembly.

50. He also pointed out that Sweden's vote in favour of draft resolution A/SPC/45/L.32 in no way altered its stand on resolution ES-9/1, mentioned in the preamble, which Sweden had voted against in 1982.

51. Mr. AMIN-MANSOUR (Islamic Republic of Iran) said that he had voted in favour of all the draft resolutions. His country's position on the Palestinian question was clear. The Islamic Republic of Iran did not recognize the Zionist entity and therefore accorded it no legitimacy.

52. Mr. RIBEIRO DE MENEZES (Portugal) said that his delegation had intended to vote against paragraph 6 of draft resolution A/SPC/45/L.27.

53. Mrs. BURKE (Barbados) said that she had intended to abstain on draft resolution A/SPC/45/L.27 as a whole.

54. Mr. MANSOUR (Observer for Palestine) said that the members of the Committee had stated their views on all the arguments put forward; the results of the vote showed that the representative of Israel had not convinced anyone. Except for the vote on paragraph 6 of draft resolution A/SPC/45/L.27, he had found himself alone or, on occasion, supported by one other delegation. The question was whether the Israeli Government would take any notice of the will thus expressed by the international community.

55. Regarding the statement by one delegation that the draft resolutions contained elements that were not conducive to the peace process, he wondered whether that delegation's rejection of the applicability of the Geneva Convention and the holding of an international peace conference on the Middle East with the participation of all the parties concerned, including the PLO, was a contribution to peace. The PLO was ready to implement General Assembly resolution 44/42 and to start a peace process with the Israelis within the framework of the conference.

56. The CHAIRMAN said that the Committee had completed its consideration of agenda item 75.

AGENDA ITEM 76: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (continued) (A/45/217, 330, 502, 572, 594, 602; A/SPC/45/L.26)

57. Mr. SALAS (Mexico) said that it was particularly important to prepare the report referred to in paragraph 18 of draft resolution A/SPC/45/L.26 before the opening of the next session of the Special Committee, if possible, in order to give the Secretariat and Member States a clear idea of the responsibilities, functions and structures of the various Secretariat units dealing with peace-keeping operations. The reports prepared in accordance with General Assembly resolution 44/49 would enrich the debates on the priority questions that had been identified. His delegation therefore considered that there was a danger that the Special Committee's work programme might be overburdened. It would be advisable to take up fewer questions and deal with them in greater depth.

58. With regard to peace-keeping operations, in the light of recent experience it should be possible to avoid the temptation to extrapolate and try to apply modalities followed in particular cases to new cases. It was important to avoid starting to debate issues on which it was known in advance that there could be no consensus. In that connection, it was important not to broaden the scope of peace-keeping operations to include questions which were beyond the political mandate of the Organization and might seriously overburden its finances.

59. There was nothing against considering new fields of applicability, but it was important at all times to respect the fundamental principles enshrined in the Charter, particularly respect for the sovereignty of all States. Setting up peace-keeping operations at the time of elections held under an international agreement designed to end a conflict involving one or more States did not mean that the Organization could do the same in the case of elections that were strictly part of the political life of one State. Questions of preventive diplomacy must be handled with prudence and circumspection. He recalled that proposals to set up machinery for the establishment - not the maintenance - of peace were not based on any provision of the Charter and might result in interventionist action.

60. Mr. EHLERS (Uruguay) said that peace-keeping operations were no longer ad hoc measures, but had become an ongoing political activity. Consequently, it might be well to recall that they were not spelled out in the Charter, and that they had come into being because the collective security system envisaged in the Charter proved inoperable. Those were among the factors that accounted for the importance of the work of the Special Committee, the body responsible for the comprehensive review of the whole question of peace-keeping operations in all their aspects. His delegation endorsed the view that the debate should concentrate on a few aspects of the question, and supported the recommendation for informal consultations on practical aspects of peace-keeping operations, as well as the proposal that the Secretariat should provide regular informal briefings on current and potential peace-keeping operations.

61. In the view of his delegation, one of the questions that should be given priority was the use of civilian personnel in future operations. Such a measure would increase confidence and help dissipate the mistrust that was sometimes

(Mr. Ehlers, Uruguay)

created by the presence of troops. In addition, such a measure would enable more Member States to provide personnel for peace-keeping operations.

62. Some delegations had brought up the concept of "peace-making", although the idea had not been defined or even discussed by any political organ. It would therefore be useful to include it in the agenda of the Special Committee with a view to defining its scope and nature before making the slightest move based on that concept.

63. Mr. YAN YAHAYA (Malaysia) said that, although they were not envisaged in the Charter, peace-keeping operations - which had been organized because of the failure of the collective security system envisaged by the United Nations - had become a credible instrument of conflict control. Malaysia was happy to have participated in some of those operations. Nevertheless, some peace-keeping operations had been in existence for a number of years with no political settlement in sight, thus imposing an intolerable burden on the troop-contributing countries. Therefore, the conflicting parties must demonstrate the necessary political will to bring about a negotiated settlement.

64. His delegation welcomed the reports of the Special Committee and the Secretary-General, and supported the recommendations relating to the preparation by the Secretary-General of a registry, indicative in nature, of potential contributions by Member States of personnel, material and technical resources and services, and to the need to ensure a secure and sound financial basis for peace-keeping operations. The recommendation to hold regional and international seminars was particularly interesting. Malaysia was prepared to participate in those activities, and looked forward to the completion by the Secretary-General of the training manuals, which would be very useful as guidelines for its own national training programmes relating to peace-keeping operations.

65. His delegation concurred with the Secretary-General's view (A/45/1) regarding the conditions for the success of United Nations peace-keeping operations. In that connection, it deplored Israel's insistence on occupying certain areas of Lebanon, thus frustrating the efforts of UNIFIL. Recalling that the peace-keeping forces, which had received the Nobel Prize for Peace in 1988, had lost more than 700 men, he said that his delegation supported the recommendation that the General Assembly should consider appropriate ways of honouring them. Finally, it was the view of his delegation that a United Nations mechanism should be set up to monitor the situation in the occupied Palestinian territory with a view to bringing about a comprehensive, just and lasting settlement.

66. Mrs. SINHA (India) said that India was proud to have participated actively, for many years, in peace-keeping operations, which remained the most visible manifestation of the contribution made by the United Nations to the maintenance of world peace and security. Her Government's support for United Nations peace-keeping operations was based on certain guiding principles. Peace-keeping operations should be undertaken with the specific consent of the host country or countries and with due respect for their sovereignty and territorial integrity. In addition, the forces deployed should have a precise and workable mandate, enjoy the

(Mrs. Sinha, India)

consistent support of the Security Council and adequate financial arrangements should be adopted for their maintenance.

67. The recommendations made by the Special Committee on Peace-keeping Operations in its report (A/45/330), particularly those relating to operational aspects, should make it possible to streamline procedures. India noted with appreciation that the follow-up work by the Secretariat in respect of those recommendations was in an advanced stage of implementation. The establishment of the Senior Planning and Monitoring Group within the Secretariat should ensure greater co-ordination and advance planning of operations.

68. With the increase in peace-keeping operations, it was becoming more and more urgent to draw up a set of guidelines for rationalizing peace-keeping operations. However, rigid prescriptions in operational matters would seem neither possible nor desirable, given the complexity of issues and the peculiarities of different situations.

69. Her delegation welcomed the preparation of a registry of potential contributions by Member States of personnel, material and technical resources and services, on the understanding that it could not represent a binding commitment on their part. Such a data bank should facilitate the launching of peace-keeping operations at short notice, as well as the process of recruitment and periodic replacement of personnel and procurement of necessary equipment and resources. The composition of peace-keeping forces should reflect broad geographical distribution, and the sources of procurement of equipment should be sufficiently diversified to ensure more equitable participation of the developing countries.

70. On the question of reimbursement for the services of civilian personnel, which would be increasingly called upon, she said that India supported the proposal made by the Secretary-General that civilian personnel should be treated in the same manner as military personnel. With regard to financing arrangements, it was the view of her delegation that funding should be based on an apportionment formula which appropriately reflected the special responsibilities of the permanent members of the Security Council and which took into account the relatively limited capacity of the developing countries. The financing formula currently in use furthered that objective and should be maintained.

71. While Member States had an undeniable obligation to pay their full assessed contributions towards peace-keeping operations promptly, the Organization had a responsibility to expedite reimbursement of the amounts owed to troop-contributing countries. That was particularly true in the case of the amounts due for earlier operations, such as the United Nations Emergency Force in the Middle East and the United Nations Operation in the Congo.

72. Greater United Nations involvement in peace-keeping had resulted in a concomitant increase in the financial outlay for peace-keeping operations, thus underscoring the need to ensure that those resources were used in the most cost-effective manner. In that connection, India reiterated its suggestion for global tendering as a method of procuring equipment, supplies and services, as well

(Mrs. Sinha, India)

as for sufficient advance planning, in order to avoid unnecessary expenditure. Her delegation would also like to recall the concern expressed by many delegations that only too often the mandates of various peace-keeping operations were extended on a routine and automatic basis. A careful study of peace-keeping operations would, in many cases, make it possible to improve them and to effect economies.

73. Mr. ACET (Turkey) said that peace-keeping operations were not an end in themselves. They should complement ongoing peace-making efforts by preventing further deterioration of the situation and helping to pave the way for the lasting settlement of disputes. Current peace-keeping operations should be reviewed in terms of the need and the effectiveness, and future operations should also be planned within that framework, in order to minimize costs.

74. Experience showed that in time, the nature and scope of disputes changed. Especially in the case of long-lasting operations, mandates given to peace-keeping forces must be adjusted from time to time to conform with new realities. In that regard, certain principles were especially important. No peace-keeping operation should be undertaken without the consent of the parties directly involved. The strict impartiality of peace-keeping forces must also be ensured.

75. The discussions in the Special Committee had underscored the concern of all delegations for greater efficiency in the operational, financial and legal aspects of peace-keeping. The Special Committee should narrow the scope of its future deliberations to questions of substance.

76. The implementation of the recommendations contained in the report of the Special Committee (A/45/330) should make it possible to rationalize the use of human and material resources and make the operations more cost-effective. The training of both civilian and military personnel was very important, and efforts to establish training institutions for peace-keeping operations should be supported.

77. His delegation hoped to see a continuation of the exchange of information between the Secretariat and Member States. In view of the expanded peace-keeping operations and the resulting heavier responsibilities for the Secretariat, it would be wise for States to keep their requests to a minimum. The success registered by UNTAG and ONUCA was encouraging, and the experience acquired in those two operations should be drawn upon when planning missions for Cambodia and the Western Sahara.

78. In conclusion, Turkey reaffirmed its support of peace-keeping operations and its readiness to contribute to their success.

79. Mr. BEN LAMINE (Tunisia) said that of the five new peace-keeping operations undertaken since 1988, those in Namibia and Central America had strengthened the international community's conviction that it was possible to create a basis for similar arrangements elsewhere, including Cambodia, the Middle East and North Africa, and to put an end to dangerous situations.

(Mr. Ben Jamine, Tunisia)

80. Peace-keeping operations had received such attention because the international community had been unable to implement all the rules of good conduct that must govern relations between States. Recently, however, there had been profound changes in international relations. Confrontation and intimidation had given way to dialogue and co-operation. In that context, his delegation welcomed the statement made on 30 May 1990 by the President of the Security Council, which showed that that organ was determined to play its role and exercise its responsibilities to the full.

81. For peace-keeping operations to be successful, they must take into account a number of criteria for making them more viable and effective. Not only should States pay their contributions on time and in full, but it would also be useful to establish a correlation between the apportionment of costs and the special responsibility of the permanent members of the Security Council.

82. Peace-keeping operations could not function effectively unless a number of legal, political and psychological conditions were met. His delegation therefore supported the Secretary-General's initiative to produce a draft agreement between the United Nations and Member States that provided personnel, it being understood that such an agreement would be flexible enough to be adapted to different situations. The host countries and the parties directly concerned must also make available to the peace-keeping forces the means needed to fulfil their mandate and must ensure that the forces were respected and protected.

83. His delegation welcomed the continuation of the exchange of information between the Secretariat and Member States with a view to strengthening co-operation. In that context, the holding of seminars should be encouraged. With regard to training, his delegation supported an arrangement that would enable Member States that so desired to benefit from training programmes already under way in certain countries.

84. The creation by the Secretary-General of the Senior Planning and Monitoring Group for Peace-keeping Operations should improve the co-ordination and planning of activities.

85. Although the harbingers of a new world order could be discerned, much still remained to be done in the area of peace-keeping and international security. It was therefore incumbent upon all Member States, and particularly the wealthiest among them, to work towards a new world equilibrium in which belligerence was replaced by a quest for such universal values as democracy, equity, human rights and development.

86. Mr. PIBULSONGGRAM (Thailand) said that 1990 marked the end of the cold war and the beginning of an unprecedented co-operation among the five permanent Member States of the Security Council that the Gulf crisis had been unable to destroy. On the contrary, the Security Council's role had been strengthened. It was quite possible that the United Nations peace-keeping forces would be asked to keep the peace in that region once the crisis had passed.

(Mr. Pibulsonggram, Thailand)

87. The recent accomplishments of United Nations peace-keeping operations had been impressive. The United Nations Transition Assistance Group in Namibia had gone far beyond the traditional role of peace-keeping. It had not only separated the hostile forces but had supervised free and fair elections. ONUCA had accomplished a similar task in Nicaragua.

88. His delegation commended the United Nations peace-keeping forces stationed in regions around the world for their dedication and sacrifice. They had fully deserved the 1988 Nobel Peace Prize.

89. It would be desirable to broaden the mandate of the peace-keeping forces, as long as that was done in conformity with clearly defined criteria. Above all, an expansion of the mandate must not be at the expense of the effectiveness of activities. It was therefore very important that future mandates be clear and workable. Furthermore, the consent of the parties concerned was indispensable. Lastly, peace-keeping forces must not be used for offensive purposes to avoid their becoming parties to the conflict.

90. With the broader terms of reference of the peace-keeping forces, the number of tasks that could be performed by civilian personnel would increase. His delegation welcomed the list of tasks and services drawn up by the Secretary-General. Almost any logistic, technical and supply-support function could be performed by civilian personnel. Depending on the case, the necessary personnel could be provided by the United Nations, Governments or civilian contractors, or could come from more than one of the above. Such decisions should be left to the discretion of the United Nations.

91. With regard to the use of modern technology in peace-keeping operations, Canada's proposal to provide participating forces with overhead remote sensing warranted consideration. Thailand called upon the technologically advanced States to make available to the United Nations the equipment that would facilitate the performance of peace-keeping tasks.

92. The introduction of training programmes in the area of peace-keeping was an excellent initiative. States with experience in that field were urged to contribute to those programmes if they were not already participants. The training programmes must be standardized to make them more practical. His delegation was pleased that the Secretary-General's guidelines for training the military personnel of peace-keeping forces would soon be issued. Similar guidelines should be drafted for civilian personnel.

93. The exchanges of views between Member States and international organizations and the seminars and briefings for States had proved useful and should be continued.

94. With regard to the composition of peace-keeping forces, his Government took the view that the principle of equitable geographical distribution should be adhered to as much as possible, without prejudice to the particular requirements of each operation.

(Mr. Pibulsonggram, Thailand)

95. A sound financial foundation was a prerequisite for effective peace-keeping operations. Member States should pay their assessed contributions in full and on time. Voluntary contributions should also be encouraged. In that context, Thailand announced that it had recently contributed to the United Nations Trust Fund in support of United Nations Peace-making and Peace-keeping Operations.

96. His delegation commended the Secretariat of the United Nations for its impressive work in preparing a peace-keeping mission to Cambodia. Thailand proposed that peace-keeping operations begin as soon as a peace settlement was signed by the parties concerned and that they remain in place until the formation of a new Government after free and fair elections. The peace-keeping forces should have both a military and a civilian component. The military component would monitor the cease-fire, verify the non-return of foreign forces to the country and the cessation of all external military assistance and supervise the billeting of Cambodian forces and the storage of their arms, ammunition and equipment. The civilian component would ensure the organization, monitoring and administration of free and fair elections.

97. The peace-keeping forces would maintain order throughout Cambodia during the interim period. That would probably require them to have administrative powers, the extent of which must be fixed by the parties concerned.

98. Thailand was prepared to participate in such an operation. In view of its proximity to Cambodia, its infrastructure could, where necessary, be used in the transport of personnel and equipment. His Government would do its best to respond favourably to any request for assistance that it received.

99. Mr. RAKOTONDRAMBOA (Madagascar) said that, since 1948, more than 500,000 soldiers and civilians had served under the flag of the United Nations. At the beginning of 1990, there had been about 20,000 persons assigned to about 10 United Nations peace-keeping operations. Those operations had become one of the principal components of the international peace and security mechanism. The end of the cold war and the upheaval in international political relations had promoted the advent of a consensus on using that method to settle certain regional conflicts. The United Nations had launched five operations over the previous two years, compared to 13 over the previous four decades. Those operations were taking on an increasingly multidimensional character because they sought to create the economic and social, as well as political, conditions of a lasting peace and no longer sought simply to halt hostilities. They were complemented by economic aid and humanitarian assistance programmes.

100. In Namibia, UNTAG had successfully conducted a complex operation to implement a comprehensive plan approved by the international community while also ensuring the security of a territory and the regularity of elections which were to lead a people to independence. In Angola, the United Nations Angola Verification Mission was supervising the regular withdrawal of Cuban troops according to the schedule established in the bipartite agreement between Angola and Cuba of 22 December 1988. In Central America, the United Nations was successfully helping to implement a series of agreements concluded in the context of a wide-ranging

(Mr. Rakotondramboa, Madagascar)

peace process launched by the States concerned. Elsewhere in the world, there was reason to hope that the recent improvement in relations between Iran and Iraq, followed by the withdrawal of forces from internationally recognized borders and the exchange of prisoners, would shortly remove the final obstacles to the full implementation of Security Council resolution 598 (1987) and would render UNIIMOG unnecessary.

101. A number of new and complex operations, which would require very significant financial and human resources, were currently under consideration, particularly for Western Sahara and Cambodia. In that context, he emphasized the importance of the work of the Special Committee on Peace-keeping Operations and welcomed the results it had obtained at its 1990 session to review the question comprehensively. He also welcomed the observations made by other bodies on the same subject, particularly by the Security Council and the Special Committee on the Charter. The documents produced by those bodies would help the various government agencies and national parliamentary commissions to understand better the need to provide a secure and sound financial basis for peace-keeping operations and, consequently, to pay their assessed contributions in full and on time and to make voluntary contributions if they were able to do so, to rest assured of the optimal use of the funds paid and to be certain that all legal, operational, political, institutional and security arrangements would be made prior to the deployment of the troops available to the Organization.

102. His delegation supported the measures that had been or would be taken by the Secretariat to enhance the efficiency of the operations, particularly the establishment of the Senior Planning and Monitoring Group for peace-keeping operations, the creation of a special fund for such operations, the records of available resources, the model agreements between the United Nations and troop-contributing or host countries and the guidelines on standardized procedures for peace-keeping operations. Despite the considerable progress in many decisive aspects of international relations, the recent turn of events showed that the possibility of new disputes in any region could not be excluded and emphasized a principle set forth many times by the Movement of Non-Aligned Countries, i.e., that peace was indivisible. Peace could not be established by the United Nations alone; only the common commitment of the Member States and their solidarity in the defence of international law, peace and security would lead to the brighter future to which all mankind aspired.

103. Mr. LOUCAIDES (Cyprus) said that, at the end of the long period marked by the cold war, ideological confrontation and division of the world, it was encouraging to note that the United Nations was becoming stronger and was beginning to act according to the principles endorsed in its Charter. It was also heartening to note that throughout the Gulf crisis, the Security Council had acted as it always should have done in similar cases, i.e., as a determining factor in the maintenance of international peace and security. The peace-keeping operations of the United Nations were also of vital importance for the maintenance of peace and security in the world. His delegation viewed such operations as an important mechanism in creating the necessary conditions under which the process of peacemaking could become fruitful. Peace-keeping required good will from all the parties concerned

(Mr. Loucaides, Cyprus)

in order to avoid the protracted presence of peace-keeping forces and all the dangers such a presence entailed. The Security Council, particularly the five permanent members, had an obligation to ensure, as it did in the Gulf crisis, that its resolutions were implemented and that militarily weak States were not left at the mercy of their stronger neighbours.

104. As host country to a United Nations peace-keeping force for almost 27 years, Cyprus was particularly interested in the various aspects of ongoing or future peace-keeping operations. Its experience with the peace-keeping and peace-making processes allowed it to appreciate the constructive role played by the Organization in that area. At the same time, Cyprus was aware that such operations involved problems and difficulties, which could be avoided if the terms of reference of peace-keeping operations were clearly defined and if the realities of the context in which the operations were taking place were considered. While Cyprus was satisfied with the performance of the United Nations Peace-keeping Force in Cyprus, it should be recalled that, when the Turkish invasion had taken place in 1974, the Force had been unable to intervene to protect the territorial integrity of a State Member of the United Nations because its mandate did not call for such an action. That was one of the weaknesses of peace-keeping as it currently operated.

105. Without question, the United Nations peace-keeping forces must fully respect the sovereignty of the countries in which they operated. Their activities must also be impartial and consistent with the United Nations Charter and the relevant Security Council resolutions. The issue of financing for peace-keeping operations must be dealt with urgently and comprehensively. He drew attention to paragraph 6 of draft resolution A/SPC/45/L.26, in which the General Assembly reiterated its call upon all Member States to pay their assessed contributions in full and on time and encouraged again those States which could do so to make voluntary contributions that were acceptable to the Secretary-General, as well as to paragraph 7, in which the Assembly stressed the importance of the need to reimburse outstanding dues of troop-contributing countries. His delegation welcomed the Security Council's current efforts to solve the chronic financial problems of the United Nations Peace-keeping Force in Cyprus and hoped that a decision to achieve that end would be adopted by consensus.

106. Mr. POPESCU (Romania) said that positive trends arising from the profound changes in Eastern Europe had been darkened by the recent deterioration of the situation in the Gulf region. The consequences of that situation were painful for a large number of Member States, particularly for the developing countries. His delegation was still hopeful that, through strict implementation of the Security Council resolutions, a terrible war could be avoided. Negotiations and diplomacy were the most useful means of ending a dispute or conflict. In that regard, the recent expansion of United Nations peace-keeping operations clearly showed that the international community placed its confidence in those United Nations activities.

107. The UNTAG operation in Namibia had enabled a new free and independent country to join the family of Member States earlier that year. A comprehensive assessment of that operation could help to strengthen and improve future operations. In Nicaragua, a United Nations observer mission had successfully participated in the

(Mr. Popescu, Romania)

preparation and holding of free and fair elections. In Cambodia, following the agreement reached by the parties involved, the Organization was facing a still more difficult task, and there were also prospects for operations in Western Sahara and in El Salvador.

108. His delegation believed that the Special Committee on Peace-keeping Operations was the most appropriate body to continue the conceptual debate on new areas of United Nations involvement, taking into account the suggestions and proposals submitted by Member States and all their concerns, in order to define a clear and internationally recognized mandate for peace-keeping operations or other related activities. Regarding United Nations supervision of electoral processes, his delegation favoured the establishment of a mechanism which would call upon the services of eminent experts from around the world and would provide assistance whenever a request was submitted to it. The new Romanian authorities attached great importance to peace-keeping operations and had decided to pay in full, during the current year, the arrears and assessed contributions for their financing as they stood at the end of June 1990. His delegation was encouraged by the work of the Special Committee on Peace-keeping Operations at its 1990 session and its conclusions and recommendations as reflected in its report (A/45/330).

109. The success of peace-keeping operations lay in their collective and international character, their impartiality and strict observance of their mandate, which should be clearly defined and should cover all stages and all aspects of the operation. Peace-keeping operations should be seen as exceptional actions taken only in exceptional cases. They should not substitute for the peace-making process nor weaken efforts towards a lasting solution. In accordance with the provisions of the Charter, such operations should be launched with the consent of host Governments and other parties directly involved. All Member States were eligible to contribute contingents to United Nations peace-keeping operations and they should, therefore, be invited to participate by rotation in providing troops and equipment. Romania believed that the establishment of national training programmes and the holding of regional and international seminars for regular exchange of information and experience played an important role in assisting countries desiring to join in those activities. It also welcomed the preparation by the Secretariat of guidelines which Member States could follow in training military personnel in peace-keeping. Peace-keeping operations should be conducted in an efficient and cost-effective manner. Completion of standard operating procedure guidelines would greatly facilitate the achievement of that objective. Host countries and directly interested parties should extend all possible support in order to facilitate the deployment and functioning of such operations and to safeguard the security of peace-keepers. In that respect, the concluding of status-of-force agreements with host countries was of the utmost importance.

110. Concerning financing, special attention should be paid to ways of guaranteeing a sound and secure financial foundation for peace-keeping operations, in particular during the start-up phase. The Special Committee should consider the financial difficulties, taking into account the work carried out by United Nations specialized agencies regarding the technical aspects of the issue. Given that financing tended to become a key element in the success of such operations, a

(Mr. Popescu, Romania)

limited number of Member States should not bear the burden of such activities. His delegation remained open to various proposals and considered that, for practical reasons, the special formula currently in use for most peace-keeping operations should be maintained. Additional sources of financing could also be examined and voluntary contributions in cash and in kind further encouraged.

111. In conclusion, his delegation emphasized that new concerted efforts were required in the Special Committee and at General Assembly sessions to strengthen United Nations capacity to monitor international peace and security. It was hoped that a consensus could be reached on the important issue of peace-keeping operations.

112. Mr. BANDRICH (Cuba) said that, while it was true that peace-keeping operations had not been established in the Charter, nevertheless, they based their legitimacy on it, from the general will to achieve the peaceful settlement of disputes in accordance with the purposes of the United Nations. He referred to some successful operations, while recalling the situation of UNIFIL, the victim of systematic harassment, even armed attacks, by the Israeli occupiers.

113. The guidelines governing the start-up phase of peace-keeping operations must be clear and must not allow for misunderstanding. Any attempt to violate those principles must be avoided, as must also the establishment of new criteria and concepts attempting to attribute to the United Nations a super-national character both contrary to the Charter and unacceptable to independent and sovereign States.

114. Chapters VI and VII of the Charter clearly provided the legal basis for peace-keeping operations. That basis, however, could not be interpreted in abstract terms, and, in that regard, it must be mentioned that the provisions of Article 2, paragraph 7, of the Charter prohibited the United Nations from intervening in matters which were essentially within the domestic jurisdiction of a State. It would be an abuse of the very concept of peace-keeping to group together the type of activities considered by the Special Committee and some activities generally entrusted to other United Nations bodies, such as fact-finding missions and humanitarian assistance to refugees or prisoners or war. Besides the possible negative consequences on a theoretical and practical level, acceptance of some criteria regarding peace-keeping operations would also have financial effects. The Special Committee should, therefore, use prudence and wisdom at its forthcoming sessions, particularly in its consideration of proposals for new types of peace-keeping activities.

115. The expression "peace-making", used so frequently in recent times, was a cause for concern, despite the fact that the Secretariat had given it prominence by entering it in the subprogramme of the draft medium-term plan submitted at the current General Assembly session, since that concept had not been defined officially and cogently. That phrase was ambiguous, and it would be better to return to the wording of the title of Chapter VI of the Charter, "Pacific settlement of disputes". The Special Committee should decide to replace that phrase by "pacific settlement of disputes".

(Mr. Bandrich, Cuba)

116. Concerning the proposal for the use of remote-sensing techniques in peace-keeping operations, case-by-case analysis should be conducted after obtaining the consent of the parties to a conflict and the neighbouring States, which might be affected by the application of such methods. At any rate, automatic recourse to such methods must be rejected now and in the future.

117. His country supported the proposal to institute a system of phased troop rotation. Training of troops should be conducted in accordance with the norms and concepts of each troop-contributing country. Further training should also be provided to familiarize them as quickly as possible with the specifics of the new theatre of operations. Furthermore, Cuba welcomed the consultations conducted by the Secretariat with the Member States concerned, particularly those directly participating in operations. It was also interested in the possible use of civilians in future peace-keeping operations.

118. Ms. TAHIR-KHELI (United States of America) said that, even during those periods in the history of the United Nations when the functioning of the collective security system had been hampered by disagreements among the major Powers, peace-keeping operations had functioned effectively. With the improvements in the world political climate, they had flourished as never before, and no one would question their role in conflict resolution. There was a risk, however, that some peace-keeping operations could become the guardians of an unacceptable status quo. Peace-keeping operations must be linked to peace-making, a valuable lesson to be drawn from United Nations experience.

119. A review of the work of the Committee over the past two years had revealed that members were generally satisfied with the functioning of the system. An analysis of the suggestions submitted to that body and the recommendations emerging from it reflected a healthy and positive approach by Member States, who sought only to contribute to the success of those operations. The report of the Secretary-General on requirements for peace-keeping operations (A/45/217) and the questionnaire were good examples of initiatives by the international community to maximize the potential of Member States. Proposals for a model agreement between host States and the United Nations and between the United Nations and troop-contributing States were other examples of concerted action by the international community in areas essential to the smooth functioning of such operations. Similarly, the holding of international seminars and the launching of training programmes indicated a desire to learn and to benefit from the lessons drawn from previous experience to improve the functioning of peace-keeping operations. By analysing the efforts of Member States, the Special Committee had made a major contribution towards that objective. The information provided by the Secretary-General and the new edition of "The Blue Helmets" also contributed to the understanding of the needs and strengths of peace-keeping forces. Nevertheless, the Secretariat must not be distracted from its fundamental task by requests for information from Member States.

120. The United States wished to express its appreciation to the group of Secretariat officials who so magnificently managed the peace-keeping operations and

(Ms. Tahir-Kheli, United States)

to all those who contributed to their success. Particular homage was due to those who had given their lives in order that peace should prevail.

121. It should be acknowledged that all the good intentions of the Member States would be worthless without the efforts made by the Chairman of the Special Committee to minimize the areas of disagreement. As a result, his delegation fully endorsed the recommendations put forward by the Special Committee as well as those in draft resolution A/SPC/45/L.26.

122. Mr. KRAVETZ (El Salvador) said that his Government had already completed the questionnaire and had returned it to the Secretariat in September 1990. He supported the proposal that document A/45/217 and the questionnaire should include a section on the use of civilian personnel in peace-keeping operations. His delegation welcomed the reports drawn up by the Secretariat as well as the preparation of training manuals for peace-keeping operations.

123. The Special Committee should focus on a small number of questions to ensure that they were given thorough consideration. His delegation proposed the inclusion of the following matters in the Special Committee's agenda: ways and means of encouraging other countries to participate in peace-keeping operations; steps to facilitate the access of other countries to national or regional training programmes for peace-keeping personnel; new areas for the deployment of peace-keeping operations.

124. On 5 November 1990 the Security Council had renewed the mandate of the United Nations Observer Group in Central America (ONUCA) for a period of six months, which would help strengthen the role of the United Nations in the Central American peace process. El Salvador was prepared to co-operate fully with the Secretary-General in finding a replacement for the Chief Military Observer, whose command was about to come to an end.

125. In July 1990 the Salvadorian Government had signed a human rights agreement with the Frente Farabundo Martí para la Liberación Nacional (FMNL). It was prepared to receive an international mission from the United Nations whenever the Organization deemed it suitable to send one, and would provide it with all the assistance it needed.

126. Some new States had shown a keen interest in peace-keeping operations; the traditional troop-contributing countries, and in particular those which had implemented national training programmes, should therefore assist with the training of military and civilian personnel, who could be incorporated when necessary in peace-keeping operations. In conclusion, he hoped that draft resolution A/SPC/45/L.26 would be adopted by consensus.

127. Mr. BOUKADOUM (Algeria) said that the increasing recourse to peace-keeping operations was a consequence of the new spirit which informed international relations. For many years the cause of contention, those operations had become a bright symbol of United Nations work in international relations. The success of peace-keeping operations had demonstrated their potential and the need to

(Mr. Boukadoum, Algeria)

strengthen that mechanism, particularly as its field of application was sure to be extended. It was also necessary to formulate, on the basis of the Charter, general criteria to guide future peace-keeping activities.

128. It should be stressed that peace-keeping operations were no substitute for the settlements which they were supposed to bring about. The example of the Middle East showed that, in the absence of a peaceful solution, the presence of peace-keeping forces served in the long run merely to strengthen the status quo.

129. The financing of peace-keeping forces should be placed on a sound basis. To that end, States should pay their contributions in full, the current formula of apportionment should be retained, taking into consideration the particular responsibilities of the permanent members of the Council and the developed countries' financing capacities, which were greater than those of the developing countries. Efforts should also be made to encourage voluntary contributions in cash and in kind. As evidence of its support for peace-keeping operations, Algeria had decided, starting in 1990, to settle all its arrears promptly.

130. The Special Committee's work was well advanced and its progress should be boosted by the procedure proposed from within that body. The cordial atmosphere which reigned therein raised the hope that, in the future, controversial questions would be examined in a calm manner.

131. While it considered useful the changes made to draft resolution A/SPC/45/L.26, his delegation wished that it had been apprised of them in advance. It looked forward to the working document to be presented by the officers of the Special Committee's bureau before the beginning of the next session, and intended to submit a number of specific proposals on that subject. It looked forward with equal interest to the various reports and studies requested from the Secretary-General.

132. In conclusion, his delegation wished to salute the men and women who made up the peace-keeping forces and were carrying out extremely delicate tasks quietly and courageously, and sometimes at the cost of their own lives.

133. Mr. SARDENBERG (Brazil) said that the success of the United Nations Transition Assistance Group (UNTAG) in Namibia and the current activities of ONUCA in Central America attested to the contribution of peace-keeping operations to an enhanced United Nations role in world affairs, which consisted, as the Secretary-General had said, in making conflicts manageable through means other than force or intimidation. The United Nations peace-keeping operations were an intermediate concept between the mechanisms for the pacific settlement of disputes provided for in Chapter VI of the Charter and the collective measures envisaged in Chapter VII. The new international trends which had significantly reduced tension and confrontation could have two results: first, a new international equilibrium in which local differences could be effectively isolated, rather than be exploited in accordance with the imperative of a rigidly bipolar equation; second, the possibility that the collective measures in Chapter VII could play a larger role, provided they were given comprehensive support and were restricted to use as a last

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resort. Virtually all current peace-keeping operations had been launched to restore peace in regions where "bipolar logic" had rendered any other solution virtually impossible.

134. With regard to the future role of peace-keeping operations, consideration should be given to the dangers inherent in the use of peace-keeping for preventive purposes. Preventive diplomacy was, by definition, a concept distinct from the dispatch of peace-keeping troops to a given area. The logical sequence foreseen in the Charter, whereby all means should be used to achieve the peaceful settlement of disputes before applying collective measures, was equally applicable to peace-keeping operations. The international community should seriously consider reinstating the mechanisms provided for in the Charter for the prevention and pacific settlement of disputes, particularly those in Chapter VI. It was important not to overlook the potential role of the Secretary-General in exercising his prerogatives under Article 99 or as a catalyst for the application of the various mechanisms provided for in Chapter VI. Article 33 clearly spelt out the legal and political means by which the Secretary-General and the Member States could avoid recourse to a military solution. If the Organization wished to find practical ways of revitalizing the mechanisms stipulated in Chapter VI, it should give concrete expression to the mechanisms of conciliation, arbitration and judicial settlement, instead of concentrating its efforts on the more complex matters relating to conflict resolution and crisis management. Such an approach would serve to restore the logical balance inherent in the provisions of the Charter and enable peace-keeping operations to assume their proper place in the sequence of available options leading from Chapter VI to Chapter VII.

135. Peace-keeping operations, as the Secretary-General had stated in his report on the work of the Organization (A/45/1), were suitable only in cases which met certain criteria. First of all, they required the authorization of the competent organ of the United Nations, and in particular that of the Security Council. The General Assembly could also take appropriate action in the event of deadlock among the members of the Council. Peace-keeping operations must also have a clear mandate, approved in advance by the parties concerned. They could be initiated only in cases which had an international dimension, and should be seen as temporary measures, since their mandates were not automatically renewable. They must be based on observance of the principle of impartiality.

136. United Nations peace-keeping operations had always been of an ad hoc nature, and provided a visible United Nations presence in specific situations where they had been deemed useful for the maintenance of peace and security. The successful outcome of such operations largely depended on such a case-by-case approach. Any attempt, therefore, at institutionalizing current arrangements for peace-keeping operations would be contrary to the traditional nature of such operations and, from a legal perspective, would require a formal procedure entailing amendment to or revision of the Charter.

137. His delegation welcomed the useful work accomplished by the Special Committee on Peace-keeping Operations at its 1990 session, particularly with regard to the standard operating procedures for peace-keeping operations, the use of civilian

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personnel, the model status-of-force agreement between the United Nations and the host country, and the elaboration of training manuals for peace-keeping operations. His country considered, however, that the Special Committee should consider fewer questions in greater depth. The Special Committee had itself acknowledged the need for that approach by pointing out, in paragraph 27 of its report (A/45/330), that "the issues of establishing political and legal principles for peace-keeping operations or defining such operations were considered with a great deal of caution. It was maintained that ... they should be dealt with on a case-by-case basis, with the necessary degree of flexibility". An equally cautious approach had been adopted with regard to the possible extension of peace-keeping operations to new fields.

138. Among the matters dealt with by the Special Committee, his delegation wished to single out the question of the use of civilian personnel in peace-keeping operations. Some conclusions could be drawn from the remarks made by the Secretary-General in paragraph 2 of his report on that topic (A/45/502). Firstly, it could be concluded that civilian personnel provided by Governments for deployment in United Nations peace-keeping operations would be called upon to serve in a purely ancillary capacity and would perform functions normally entrusted to Secretariat staff. They would not carry out key political and administrative functions, would be assimilated into the command structure of the operation and would answer to its military head. Such personnel would be placed at the disposal and under the authority of the Secretary-General following a formal request to their Governments. In that regard, the Secretary-General's discretionary power in determining the need for any civilian personnel was of fundamental importance.

139. His delegation stressed the need to ensure a sound financial basis for peace-keeping operations, and recalled that the costs should be apportioned in accordance with a special scale of assessment in which the particular responsibility of the permanent members of the Security Council was duly reflected. Brazil was committed to ensuring the success of peace-keeping operations, and Brazilian military personnel were currently serving in two such operations, namely UNAVEM and ONUCA. In response to the questionnaire recently submitted by the Secretary-General, the Brazilian Government had indicated that it was ready to make a battalion available, on the understanding that the decision would be pursuant to a specific request by the United Nations and in accordance with the nature of the operation involved. Brazil considered it important to enhance the flow of information on peace-keeping operations between the United Nations Secretariat and Member States, and also favoured the establishment of an informal mechanism which would enable troop-contributing States and other interested Member States to exchange views on the practical and operational aspects of peace-keeping operations. His delegation attached special significance to the Special Committee's deliberations and considered that its recommendations in draft resolution A/SPC/45/L.26 contributed to the strengthening of the role of the Organization in that highly important area of activity. It therefore hoped that the General Assembly would adopt the draft resolution by consensus.

140. Mr. ACET (Turkey), speaking in exercise of the right of reply about the "Turkish invasion in 1974" mentioned by the representative of Cyprus, recalled that Turkey had been obliged to intervene, in accordance with its treaty obligations, as a result of the armed coup aimed at destroying the independence of Cyprus and in order to prevent the massacre of Turkish Cypriots.

141. Mr. LOUCAIDES (Cyprus), speaking in exercise of the right of reply, said that the invasion of Cyprus by Turkey in 1974 had been a flagrant violation of international law which had been condemned by the international community and by the General Assembly and the Security Council in a large number of resolutions calling for the withdrawal of the occupation troops and the return of the Greek Cypriot refugees to their homes.

Draft resolution A/SPC/45/L.26

142. The CHAIRMAN drew attention to draft resolution A/SPC/45/L.26 on peace-keeping operations and to its programme-budget implications, submitted by the Secretary-General in document A/SPC/45/L.36.

143. Mr. KIRSCH (Canada), introducing the draft resolution on behalf of the sponsors, said that the text followed resolutions adopted in the past on the question and contained a number of new elements drawn from the Special Committee's report (A/45/330) which had been generally agreed upon. In addition, the paragraphs pertaining to methods of work had been somewhat adjusted with a view to improving the Committee's future effectiveness.

144. The sponsors hoped that the draft resolution would be adopted by consensus.

145. Draft resolution A/SPC/45/L.26 was adopted without a vote.

146. The CHAIRMAN, referring to the series of informal meetings mentioned in the draft resolution just adopted, said that the dates of 6 to 31 May 1991 had been provisionally suggested, after consultation with delegations, on the basis of the replies provided by the Department of Conference Services with regard to the availability of staff and facilities. That arrangement did not exclude the possibility that the Special Committee might hold other meetings, if the need arose, with the authorization of the General Assembly; a provision to that effect would be incorporated in the Committee's report to the Assembly.

147. The Committee had thus concluded its consideration of item 76.

COMPLETION OF THE COMMITTEE'S WORK

148. After an exchange of courtesies, the CHAIRMAN declared that the Committee had completed its work for the forty-fifth session.

The meeting rose at 7.30 p.m.